IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 14. This sheet, which includes Fig. 14, replaces the original sheet including Fig. 14.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-17 are pending, with Claims 3, 5, 6-8, 16, and 17 being withdrawn from consideration. None of the claims are amended by the present response.

The outstanding Office Action objected to the drawings. In addition, Claims 1, 2, 4, and 9-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Toda (U.S. Patent Application Publication No. 2003/0146673).

Initially, Applicants respectfully request that the references cited in the Information Disclosure Statement (IDS) filed March 17, 2005 be acknowledged as having been considered in the next Office Action. In particular, the Office Action has not considered any of these references on the grounds that translations were not provided for the references cited therein. However, there is no requirement to submit translations of information listed in an IDS that is not in the English language when the IDS includes a concise explanation of the relevance of the references in compliance with 37 CFR 1.98(a)(3). In this case, the references cited in the IDS filed March 17, 2005 were cited in an International Search Report. These references were properly filed together with the International Search Report in compliance with 37 CFR 1.98(a)(3).[1] Therefore, the Applicants respectfully request that the references cited in the IDS filed March 17, 2005 be acknowledged as having been considered in the next Office Action.

[1] See MPEP § 609.04(a)III, "Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report."

In response to the objection to the drawings, submitted herewith is a Letter Submitting Drawing Sheets along with a Replacement Sheet for Figure 14 adding the legend "Background Art" to address the noted informality. Accordingly, Applicants respectfully request the objection to the drawings be withdrawn.

It is respectfully requested the rejection of Claims 1, 2, 4, and 9-15 as obvious over Toda be withdrawn.

Claim 1 recites an input apparatus for detecting that the front surface of a panel is pressed or touched and inputting data corresponding to the detected result. Claim 1 further recites (emphasis added):

> a flexible wiring board on which a pattern of predetermined electrodes is formed and in which a pair of through-holes are aligned and formed; and
>
> a piezoelectric actuator made of a piezoelectric bi-morph device, the piezoelectric actuator being configured to bridge the pair of the through-holes in the flexible wiring board, a part of the flexible wiring board being formed between the pair of the through-holes and positioned on the upper surface of the piezoelectric actuator,
>
> wherein the piezoelectric actuator is configured to contact the panel except for the part of the flexible wiring board.

Toda fails to disclose or suggest the claimed flexible wiring board that (1) includes a pair of through-holes, (2) includes a part formed between the pair of the through-holes and (3) is positioned on the upper surface of a piezoelectric actuator that is configured to bridge the pair of the through-holes in the flexible wiring board.

The outstanding Office Action acknowledges these deficiencies in the paragraph spanning pages 3 and 4 of the Office Action. Nevertheless, the Office Action states "it is

obvious to one skill in the art to recognize the conventional way of making a piezoelectric actuator made of a piezoelectric bi-morph device. Besides the flexible wiring board of the piezoelectric device of Toda et al. is formed and positioned on the upper surface of the piezoelectric actuator (see fig. 1, 13) little differently, but The flexible printed circuit does not easily peel off from the piezoelectric bodies ([0019] - [0021]) and it is well formed and positioned similar to Applicant's flexible wiring board that was formed using a pair of through-holes."[2]

The Office Action provides no factual basis whatsoever in rejecting Claim 1. Toda does not disclose or suggest a flexible wiring board that includes a pair of through-holes in the claimed configuration. The Office Action acknowledges this deficiency. However, the Office Action brushes aside these differences by stating that Toda describes a flexible circuit board that is "well formed and similar." This position is inconsistent with the law.

The standard for obviousness was clarified by the Supreme Court in *KSR Int'l Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396 (2007) (emphasis added), which stated "[o]ften, it will be necessary for a court to look at interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit." There is simply no clearly articulated apparent reason set forth in the Office Action as to why it would obvious to modify the device in Toda to arrive at all of the limitations in the present claims.

[2] See the Office Action at page 4, lines 4-10.

In particular, Claim 1 requires a flexible wiring board that (1) includes a pair of through-holes, (2) includes a part formed between the pair of the through-holes and (3) is positioned on the upper surface of a piezoelectric actuator that is configured to bridge the pair of the through-holes in the flexible wiring board. Toda includes none of these features. As described in paragraph [0081] of Toda, Figures 1 and 2 of Toda illustrate cross-sectional views in the vicinities of piezoelectric bodies placed on a touch panel. Toda describes that each piezoelectric body, 2, is firmly mounted on a rectangular, nonconducting, nonpiezoelectric substrate 1. A circuit board 5 is electrically connected with comb-like electrodes and securely mounted on the top surface of each piezoelectric body 2. As can be seen in Figures 1 and 2 of Toda, the circuit board 5 does not include a pair of through-holes, does not include a part formed between a pair of through-holes, and is not positioned on an upper surface of a piezoelectric actuator *that is configured to bridge a pair of through-holes* in the circuit board 5. Moreover, there is no clearly articulated apparent reason set forth in the Office Action as to why it would obvious to modify the device in Toda to arrive at all of these limitations.

Accordingly, Toda fails to disclose or suggest all of the features of Claim 1. It is submitted Claim 1 and the claims depending therefrom are in condition for allowance.

Claim 14 recites a method for producing an input apparatus for detecting that the front surface of a panel is pressed or touched and inputting data corresponding to the detected result. Claim 14 further recites (emphasis added):

> forming a pair of through-holes aligned in a flexible wiring board on which a pattern of predetermined electrodes is formed;

> inserting a piezoelectric actuator made of a piezoelectric bi-morph device into one of the pair of the through-holes and then the other from the opposite surface side so that both the ends in the longitudinal direction of the piezoelectric actuator contact the same surface of the piezoelectric actuator; and
>
> mounting the flexible wiring board on the panel so that the piezoelectric actuator contacts the panel except for a part formed between the pair of the through-holes in the flexible wiring board.

As discussed Toda fails to disclose or suggest a flexible wiring board that includes a pair of through-holes. As can be readily understood, as Toda fails to disclose or suggest a wiring board that includes a pair of through-holes, Toda also does not disclose or suggest inserting a piezoelectric actuator made of a piezoelectric bi-morph device into one of a pair of the through-holes and then another from an opposite surface side.

Accordingly, Toda fails to disclose or suggest all of the features of Claim 14. It is submitted Claim 14 is in condition for allowance.

Claim 15 recites a method for producing an input apparatus for detecting that the front surface of a panel is pressed or touched and inputting data corresponding to the detected result. Claim 15 further recites (emphasis added):

> forming a pair of through-holes aligned in a flexible wiring board on which a pattern of predetermined electrodes are formed and straightly cutting a part between the pair of the through-holes;
>
> mounting a piezoelectric actuator made of a piezoelectric bi-morph device on the flexible wiring board so that the piezoelectric actuator bridges the pair of the through-holes and soldering and electrically connecting wiring terminals formed at one end portion of the piezoelectric actuator and the predetermined electrodes formed on the flexible wiring board;

pulling out the part formed between the pair of the through-holes in the flexible wiring board so that the part is positioned on the upper surface of the piezoelectric actuator; and

mounting the flexible wiring board so that the piezoelectric actuator contacts the panel except for the part formed between the pair of the through-holes in the flexible wiring board.

The Office Action fails to provide a basis for rejecting Claim 15. Indeed, as discussed above, Toda fails to disclose or suggest a flexible wiring board that includes a pair of through-holes. As can be readily understood, as Toda fails to disclose or suggest a wiring board that includes a pair of through-holes, Toda also does not disclose or suggest mounting a piezoelectric actuator made of a piezoelectric bi-morph device on the flexible wiring board so that the piezoelectric actuator *bridges a pair of through-holes*.

Accordingly, Toda fails to disclose or suggest all of the features of Claim 15. It is submitted Claim 15 and the claims depending therefrom are in condition for allowance.

With regard to withdrawn Claims 3, 5, 6-8, and 17, it is respectfully requested that these claims be rejoined and allowed in accordance with MPEP §821.04, as Claims 3, 5, 6-8, and 17 include the subject matter recited in Claim 1, which is believed to be allowable.

With regard to withdrawn Claim 16, it is respectfully requested that this claim be rejoined and allowed in accordance with MPEP §821.04, as Claim 16 includes the subject matter recited in Claim 15, which is believed to be allowable.

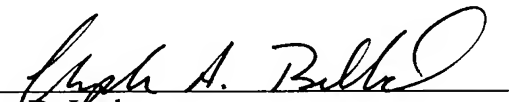
Since Applicant has not amended the claims in response to any rejection on the merits, a further rejection of these claims based on newly cited prior art in the next communication **cannot properly be considered a Final Office Action.**

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for Claims 1-17 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicant's undersigned representative by the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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